

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L SECTION 01 OF 03 TEGUCIGALPA 001726

SIPDIS

STATE FOR S/CT, PRM, G/TIP, DRL/PHD, AND DRL/IL
STATE FOR WHA/PPC, WHA/CEN, INL/LP, INR/GGI, AND CA
STATE FOR DS/IP/WHA, DS/CR/CIL, AND DS/CR/VF

E.O. 12958: DECL: 08/19/2015

TAGS: [SMIG](#) [PGOV](#) [KJUS](#) [KCRM](#) [PTER](#) [SNAR](#) [PREL](#) [ASEC](#) [HO](#)

SUBJECT: HONDURAN IMMIGRATION DIRECTOR RAMON ROMERO
RELEASED ON BAIL IN LIKELY CORRUPT JUDICIAL DECISION

REF: A. TEGUCIGALPA 1614

[1](#)B. TEGUCIGALPA 1376

[1](#)C. TEGUCIGALPA 930 AND PREVIOUS

Classified By: Charge d'Affaires, a.i. James G. Williard;
reasons 1.4 (b) and (d).

[1](#)1. (C) Summary. Former Honduran Immigration Director Ramon Romero, arrested May 1 in the corruption/fraud scandal at Honduran Immigration, was released on bail August 18 in a judicial decision that appears to have been made due to corrupt influence. Romero's attorney previously admitted that Romero permitted a flight of Colombians to enter without visas due to his "love" for a daughter of U.S. convicted narcotrafficker Juan Ramon Matta Ballesteros. Charge met with the Attorney General and Supreme Court President to state USG concern and to seek aggressive prosecution. The Embassy revoked in May the nonimmigrant visas of six top Immigration officials, including Romero. End Summary.

Romero Granted Bail

[1](#)2. (C) Former Honduran Immigration Director Ramon Romero, arrested May 1 in the corruption/fraud scandal at Honduran Immigration, was released on 600,000 lempiras (USD 31,746) bail August 18 in a judicial decision that appears to have been made due to corrupt influence. Romero was ordered to check in weekly and to avoid all contact with Immigration officials. Romero was allegedly involved in a whole host of other illegal activities, leading to the entry without visas of Colombians, Chinese, and Special Interest Aliens (see ref C and previous for details). Romero's attorney previously admitted publicly that Romero permitted a flight of Colombians to enter without visas due to his "love" for a Claudia Matta, the U.S. citizen daughter of U.S.-convicted narcotrafficker Juan Ramon Matta Ballesteros. Post fears that Romero may seek to flee Honduras to be with Claudia and avoid more jail time, possibly to Colombia or Panama. (Post notes that Honduras has extradition treaties with both countries.)

[1](#)3. (C) Special Prosecutor for Organized Crime Doris Aguilar told DHS Attache August 18 that the original judge in the case, Eduard Navarro, recused himself at the last minute from what he thought was a politically manipulated process. The substitute judge, Lillian Emelina Maldonado, was allegedly pressured and/or paid to grant Romero bail.

Charge Meets with AG and Supreme Court President

[1](#)4. (C) Charge met with Attorney General Leonidas Rosa Bautista and Special Prosecutor Aguilar August 19 and discussed the Romero case. The Charge emphasized that the immigration scandal involved U.S. and Honduran national security, and that Washington was watching to see how this case proceeded. Charge noted that corruption and possible political interference in cases such as this were of serious concern, especially in the view of CAFTA and the Millennium Challenge Account, and made it harder for the Embassy to obtain resources to train and equip Honduran prosecutors and police. He underlined that it was critical that Special Prosecutor Aguilar be given the authority and resources she needs to attack this corruption scandal.

[1](#)5. (C) The Attorney General told the Charge that the Public Ministry would appeal the judge's decision August 22 to a three-judge appeals court. A decision is expected by August [1](#)24. He said that Aguilar was free to do what she needs to do to prosecute this case. The AG also spoke at length of the need for an overhaul of many GOH institutions (immigration, customs, etc.). Charge noted that would be worthwhile, but did not obviate the need to seek convictions in this specific case. Aguilar said she planned to file additional charges against Romero, and planned to appeal the bail decision arguing that he is a flight risk and that many key Immigration officials were still in place (the two major stated justifications in the judge's decision to grant bail). Aguilar noted that Romero is facing a possible 18-year sentence.

16. (C) Charge also met August 19 with Supreme Court President Vilma Morales and raised USG concern with the judge's decision to grant Romero bail. Morales praised the judge, claimed that the original judge merely was not available the day bail was granted, and said that was why the second judge had taken over. She criticized Public Ministry prosecutors, claiming they did not have a strong enough case, and urged the Public Ministry to file more charges if they could. She claimed that sufficient time had passed since the arrest and it was appropriate to grant Romero bail. Morales repeatedly expressed her concern over the points raised by the Charge, and urged the Embassy to work closely with the prosecution to improve the case.

17. (U) The Embassy issued a statement August 19 expressing disappointment in the recent legal developments in the "pasaportazo" scandal and noting the importance of the case to U.S. and Honduran national security.

Prosecutors Appealing Dismissal of Hernandez Alcerro Case

18. (SBU) Former Minister of Government and Justice Jorge Ramon Hernandez Alcerro, now a congressional candidate, was indicted June 14 by Prosecutor Aguilar for allegedly allowing a minor to leave the country without parental permission (ref B). That charge was dropped when a court ruled that the prosecutor had acted without direct instructions from the Attorney General. The prosecutor is appealing that decision and the case continues (ref A). Prosecutor Aguilar previously stated that this was the first (and easiest) of a series of charges against Hernandez Alcerro for money laundering and immigration violations, but no other charges have yet been filed.

19. (C) In an August 9 courtesy call with the new Minister of Government and Justice Jose Roberto Pacheco Reyes, Charge Tuebner and PolChief told Minister Pacheco that the scandal was of serious concern to the U.S. and that the Embassy had received information that corrupt acts continued in Immigration. Minister Pacheco claimed to be unaware of any new corruption and pledged that he was strongly opposed to corruption. Nevertheless, as a caretaker minister it appears doubtful he will reorganize Immigration.

Embassy Revoked Visas and May Revoke More

110. (SBU) The Embassy previously revoked under INA 214(b) as potential flight risks the nonimmigrant visas of many Immigration officials, including the following six top Immigration officials:

- Immigration Director Ramon Romero
- Director of Foreigners Julio Hernandez Cerrato
- Immigration Sub-Director and Chief of the Tegucigalpa Passport Office Luis Fernando Moya
- Secretary General of Immigration Verence Castillo Canales
- Chief of the Tegucigalpa Airport Immigration Office David Antonio Williams
- Deputy at the Tegucigalpa Airport Immigration Office Nelly Maria Valladares Pineda

The Embassy is reviewing these cases, as well as other senior Immigration officials, looking to make them ineligible for future visas for involvement in alien smuggling and/or narcotrafficking.

Scandal Hurts National Party But Intercessions Continue

111. (C) Comment: Romero's corrupt activities, as well as Hernandez Alcerro's alleged involvement, have tarnished the National Party electoral campaign. Romero is a candidate for city council on mayoral candidate Ricardo Alvarez's ticket, and Hernandez Alcerro is a congressional candidate in the Department of Francisco Morazan on presidential candidate Porfirio "Pepe" Lobo's ticket. Both Rosa Bautista and Morales are National Party members. Despite the damage already done to the National Party and continuing implications of corruption that the release of Romero and throwing out of charges against Hernandez Alcerro have generated, National Party figures in the executive and judicial branches appear to be acting to protect their own. Whether these actions are to assist loyal party members or to prevent them from cooperating with prosecutors is unknown. Either way, they give credence to charges of government corruption and play into the hands of Liberal Party presidential candidate Manuel "Mel" Zelaya. Former Liberal President and owner of La Tribuna newspaper Carlos Flores reacted excitedly when informed August 18 by Charge and A/DCM during a meeting of the impending release of Romero. Flores' newspaper highlighted the Romero release in strongly negative coverage on August 19.

112. (C) The granting of bail to Romero, combined with recent

negative judicial decisions in key narcotics and alien smuggling cases that appear to be due to corruption, are blows against the very segments in the police/Public Ministry that the Embassy has worked hard to train and equip. The Embassy and these groups are frustrated by the apparent corruption that has derailed so many important prosecutions. Big fish are rarely caught in Honduras, and if they are there usually is some technicality that leads to their release. The only surprise is that political powers have not found a way to pin the Immigration scandal on the gangs, the GOH's first suspect in most criminal cases (even in cases where the real culprit is corrupt police), and one with no political connections. We will see next week whether Post intervention in the Romero case will result in any improvement in the legal process. End Comment.

Williard